

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Major Irrigation – Krishna District – Restoration of No Objection Certificate (NOC) issued to M/s. Active Power Corporation Private Limited for their 2x700 KW, Mini Hydel Scheme (MHS), located at Budameru Diversion Channel – Orders – Issued.

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**IRRIGATION & CAD (PW-REFORMS) DEPARTMENT**

G.O.Ms.No. 4

Dated:25-01-2014.

READ the following:-

- 1) G.O.Rt.No.532, I&CAD (Irrigation.II.2) Deptt., dt:13.4.1998.
- 2) G.O.Rt.No.164, I&CAD(Irrigation.II.2) Deptt., dt:15-02-1999.
- 3) G.O.Rt.No.670, I&CAD(PW-Reforms)Dept., dated:29-08-2009.
- 4) Orders of High Court of A.P. Hyderabad in W.P.No.18481/2009,  
Dated:10-08-2011.
- 5) Govt. Memo.No.19607/Reforms/A2/2009, dt.18-04-2012 and  
25-10-2013.
- 6) From the E.N.C.(I), Hyd., Lr.No.ENC(I)/DCEIV/OT7/SOII/6769,  
dt.11-11-2013 and dt:27-12-2013.

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ORDER:

In the references 1<sup>st</sup> and 2<sup>nd</sup> read above, Government accorded permission to the Chief Engineer(Major Irrigation) to issue "NO OBJECTION CERTIFICATE" to M/s.Active Power Corporation Private Limited, Hyderabad for establishment of Mini Hydel Scheme of 2 x 700 KW across Budameru Diversion Channel utilizing V.T.P.S. return water in Krishna District, subject to the conditions mentioned therein.

2. In the reference 3<sup>rd</sup> read above, the Government has issued orders cancelling the NOC to M/s. Active Power Corporation Private Limited, Hyderabad for establishment of Mini Hydel Scheme across Budameru Diversion Channel to facilitate the work undertaken in order to enhance the carrying capacity of the Budameru Diversion Channel for extra flood discharge of Budameru including discharge of ISRMC dropping into Budameru Diversion Channel and return water of VTPS.

3. Aggrieved by this M/s. Active Power Corporation Private Limited, Hyderabad approached the Hon'ble High Court in W.P.No.18481/2009. The Hon'ble High Court in its orders dated:10-08-2011 "While setting aside the G.O.Rt.No.670, I&CAD(PW:Reforms) Department, dated: 29.08.2009 on the ground violation of the Principles of Natural Justice permitted the petitioner to file its objections within a period of 2 weeks from the date of receipt of the copy of the order and on such objections being filed, same shall be considered by the Government and orders be passed".

4. Accordingly, Government in the reference 5<sup>th</sup> read above, requested the Engineer-in-Chief(Irrigation), Hyderabad to furnish the specific remarks on the issue.

5. The Engineer-in-Chief(Irrigation), Hyderabad vide reference 6<sup>th</sup> read above, has furnished a detailed report on revised proposals submitted by the M/s. Active Power Corporation Private Limited, Hyderabad as per the minutes of the meeting dated:30-10-2013 as follows:-

P.T.O.,

"M/s. Active power corporation Private Limited has proposed a link canal of about 300m length on left side of Budameru Diversion Channel taking off just on upstream of Vijayawada-Hyderabad NH.9 bridge and joining the Budameru Diversion Channel on downstream side of power project with a discharge of 465.55 cumecs, duly crossing the NH.9 through a new bridge of 2 vents of 24.50m span. A new regulator of 6 vents of 5.75 mx6.0m is proposed across the link canal about 25 m Down stream of proposed new NH.9 Bridge. An approach link canal of 51m bed width is proposed up to NH Bridge. On D/S side of regulator, the link channel with 31.80m (bed width), side slopes of 1.5:1 and bed slope of 1 in 5900 is proposed joining to Budameru Diversion Channel. Further, two additional vents of size 6.50 mts x 4.90 mts., are proposed on R/S of existing regulator to pass a discharge of 190.950 cumecs with sill level at +18.10M", subject to condition that the detailed designs with necessary protection arrangements be prepared by Active power Corporation and are to be vetted by the Chief Engineer, Central Designs Organization. Subsequently, the financial implications of the revised proposal are to be worked out, as per the conditions mentioned therein". This proposal of Engineer-in-Chief(Irrigation) effectively meets the requirement of work undertaken to enhance the capacity of Budameru Diversion Channel to take care of flood as well as ISRM discharge dropping in to Budameru Diversion Channel while allowing the extra discharge to go through the link canal.

6. Government after careful examination of the proposal submitted by the Engineer-in-Chief (Irrigation), Hyderabad vide reference 6<sup>th</sup> read above, hereby restore the No Objection Certificate (NOC) issued to M/s. Active Power Corporation Private Limited for their 2x700 KW, Mini Hydel Scheme (MHS), located at Budameru Diversion Channel to restart the power house under the following conditions:-

- (i) The water required by M/s. Active Power Corporation, Hyderabad will be allowed only after utilizing the water required for the existing irrigation schemes and the proposed T.R.L.I. Scheme by Irrigation Department.
- (ii) The plant which is existing on the Island available between cooling water canal of V.T.P.S. and Budameru Diversion Channel by the side of N.H. Road can be allowed to function as existing. The company has to approach Irrigation Department with necessary proposals for leasing the lands, if any they require from the I&CAD Department.
- (iii) The Irrigation Department reserves the right to stop the water, whenever required for carrying out maintenance and other new constructions being taken up the VTPS limits and upstream.
- (iv) The Irrigation Department reserves the right to cancel the permission, for any violation of the conditions without any notice.
- (v) The firm has to enter into agreement with NREDCAP/Irrigation Department as per the new Policy of the Mini Hydel Schemes.
- (vi) The firm has to pay the royalty charges as per rates fixed by the Government in the new Policy of the Mini Hydel Scheme and revision from time to time as per Government Orders.
- (vii) M/s. Active Power Corporation Private Limited shall bear the cost for the proposed link channel & additional (2) vents on R/s of the existing regulator with protective arrangements, as per the designs vetted & approved by the Central Designs Organization, I&CAD, Hyderabad.

Contd.. 3.,

- (viii) The execution of the above work, shall be within a pre-defined period, as specified by the Engineer-in-Chief(Irrigation), Hyderabad.
- (ix) The Engineer-in-Chief (Irrigation), Hyderabad, shall put in place appropriate safeguards to ensure that the work is completed in time & without any slippages.
- (x) The Engineer-in-Chief (Irrigation), Hyderabad, shall ensure that there is no risk of flooding to Vijayawada or the surrounding areas, during the execution of the work. This is the paramount condition.
- (xi) M/s. Active Power Corporation Private Limited, shall remit to the Government or it's agencies pending dues, if any.
- (xii) M/s. Active Power Corporation Private Limited, shall not claim any damages/compensation from the Government, either now or in the future. An undertaking to this extent shall be obtained from the firm to avoid further legal complications.
- (xiii) The issue of extension of the period of the Power Purchase Agreement(PPA) of M/s. Active Power Corporation Private Limited, shall be examined & Processed, by AP TRANSCO/AP DISCOMS in the Energy Department as per the existing rules/guidelines governing the subject.
- (xiv) The Engineer-in-Chief(Irrigation), Hyderabad shall obtain detailed designs prepared by the firm and be vetted by the Chief Engineer, Central Designs Organization, Hyderabad.

7. The Engineer-in-Chief(Irrigation), Hyderabad and the Chief Engineer, Central Designs Organization, Hyderabad shall take necessary action in consultation with A.P. Transco., if necessary.

8. This order issues with the concurrence of Energy Department vide their No.71, dated:22.01.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS,  
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Engineer-in-Chief(Irrigation), I&CAD Department,  
Errum Munzil, Jalasouda Building, Hyderabad.

The Chief Engineer, Central Designs Organization, Hyderabad.

Copy to:

The Superintending Engineer, Irrigation Circle, Vijayawada.

The Commissioner of Industries, Hyderabad.

The Spl.Chief Secretary to Govt., Energy Department, A.P.Secretariat,  
Hyderabad for further necessary action.

The Chairman & Managing Director, A.P.TRANSCO., Vidyut Soudha,  
Khairatabad, Hyderabad.

The M.D., M/s.Active Power Corporation Pvt.Ltd., Regd.Off. Plot No.76, Road  
No.70, Ashwini Layout, Huda Heights, Jubilee Hills, Hyderabad-500 033.

The P.S. to Special Secretary to C.M.

The O.S.D. to Minister for Major & Medium Irrigation.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.